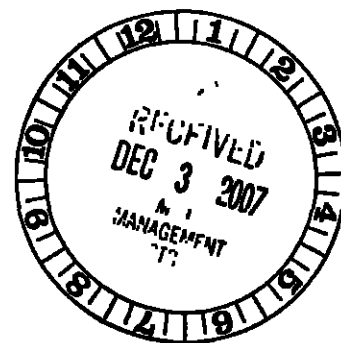


BEFORE THE
SURFACE TRANSPORTATION BOARD



FINANCE DOCKET NO. 35087

CANADIAN NATION RAILWAY COMPANY
AND GRAND TRUNK CORPORATION
- CONTROL -
EJ&E WEST COMPANY

220868

**NATIONAL RAILROAD PASSENGER CORPORATION'S
NOTICE OF INTENT TO PARTICIPATE**

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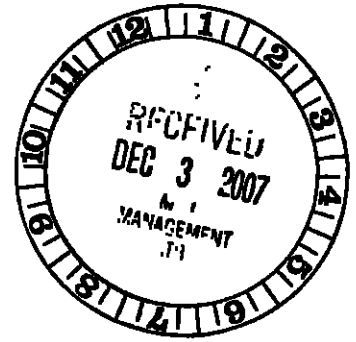
Part of
Public Record

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Dated: December 3, 2007

BEFORE THE
SURFACE TRANSPORTATION BOARD



FINANCE DOCKET NO. 35087

CANADIAN NATION RAILWAY COMPANY
AND GRAND TRUNK CORPORATION
— CONTROL —
EJ&E WEST COMPANY

**NATIONAL RAILROAD PASSENGER CORPORATION'S
NOTICE OF INTENT TO PARTICIPATE**

National Railroad Passenger Corporation ("Amtrak") hereby provides its notice of intent to participate in this proceeding as a party of record. Amtrak requests that the following persons be included in the Board's official service list for this proceeding, and that they receive copies of all filings and submissions made in the proceeding as may be appropriate:

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Amtrak has fundamental concerns with respect to Canadian National Railway Company's ("CN") recently filed application to acquire the Elgin, Joliet & Eastern Railway Company ("EJ&E"). Although CN states in its application that approval of the EJ&E acquisition "will not affect passenger rail service operating on CN lines" (Application, p. 222), in fact this is not the case. As proposed, the transaction would effectively eliminate a CN rail line critical to the operation of six daily Amtrak trains that provide essential services and significant environmental benefits.

The Amtrak trains that operate over CN's main line south of Chicago – the *City of New Orleans* and two state-supported Carbondale-to-Chicago round trips – currently use CN's Chicago Subdivision and St. Charles Air Line (collectively the "Air Line Route") between Harvey, IL and a point just south of Chicago Union Station. According to CN's application, if the STB approves its acquisition of the EJ&E, CN freight trains currently operating via the Air Line Route will be rerouted onto the EJ&E and all freight operations north of Harvey will be eliminated (Application, pp. 222, 246). CN's ultimate result will be the abandonment of an unspecified portion of the 20-mile Air Line Route between Harvey and downtown Chicago over which Amtrak's trains operate (Application, pp. 32 n. 15, 204, 219).


Alternatively, CN may plan to shift all of the costs of operating and maintaining the Air Line Route to Amtrak and the State of Illinois (which provides funding for four of the six Amtrak trains that operate over the line). This would result in significant increases in federal and state funding requirements, the magnitude of which CN has not disclosed, that could force the discontinuance of these trains.

CN's application asserts that Amtrak will not need to utilize the Air Line Route in the future because the CREATE project will lead to the rerouting of Amtrak's trains onto Norfolk Southern ("NS") at a location in Chicago called Grand Crossing. Amtrak agrees that

this is the optimal long-term solution. However, as CN acknowledges elsewhere in its application, realization of CRLA'IL is "in question" and "at best, many years [away]" due to "funding uncertainties " (Application, p. 204 & n. 3.) Indeed, STB approval of CN's application would result in a unilateral restructuring of CN's operations through Chicago that would make it much *less* likely that important CREATE projects – including a new Grand Crossing connection between CN and NS that is one of the essential prerequisites to rerouting Amtrak trains onto NS – will ever be funded and constructed.

Taking this record into account, Amtrak is very concerned about the impact of CN's plans on Amtrak itself, its passengers, and its funding partner, the State of Illinois. Amtrak is pursuing an explanation from CN of how it expects Amtrak trains will get from Harvey to Chicago Union Station after CN reroutes its freight traffic off the Air Line Route. Based on the information it is able to obtain from CN, Amtrak will formulate its position in this proceeding

Respectively submitted,



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Dated: December 3, 2007

CERTIFICATE OF SERVICE

I hereby certify this 3rd day of December, 2007, that I have caused the foregoing National Railroad Passenger Corporation's Notice of Intent To Participate to be served by first-class mail, postage pre-paid, on the following:

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